

DILWORTH PAXSON, LLC

LAW OFFICES

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U.S. DISTRICT COURT
DISTRICT OF MARYLAND

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LAURENCE STORCH
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MANAGING PARTNERS

DIRECT DIAL NUMBER:
302-689-7781

Michael J. Dixon
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Ms. Felicia C. Cannon
United States District Court for the District of Maryland
101 Lombard Street, Room 4415
Baltimore, Maryland 21202

RE: *Environmental Equipment & Services, Inc. v. Diamond International Logistics,*
Case No. L-01-4194

Dear Ms. Cannon:


Dilworth Paxson PLLC represents plaintiff Environmental Equipment & Services, Inc. ("Environmental"), in the above-captioned matter.

This matter was settled pursuant to a Stipulation of Settlement filed on February 15, 2002. Thereafter, a Settlement Order was filed on February 21, 2002 and a Consent Order modifying the Settlement Order was filed on March 12, 2002. The Consent Order allowed Environmental to re-open the action to apply for final judgment in the event that defendant did not make the payment required in the Stipulation of Settlement. The Consent Order also provided that in the event Environmental did not move to re-open the action or apply for final judgment on or before August 9, 2002, then the action would be dismissed with prejudice.

On April 12, 2002, defendant Diamond International Logistics, Inc., filed a Chapter 11 bankruptcy petition in the United States Bankruptcy Court for the District of Maryland, Case No. 02-56066 (JFS). Because the defendant has filed for bankruptcy protection and the automatic stay pursuant to 11 U.S.C. Section 362 is in effect, Environmental will not be applying for final judgment on or before August 9, 2002. However, the action should not be dismissed with prejudice by this Court due to the bankruptcy filing by the Defendant.

Thank you for your courtesy and attention to this matter. Please contact me if you have any questions.

Sincerely,


Michael J. Dixon

cc: Sidney S. Friedman, Esquire

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The case will be administered to the
closed pending the outcome of Diamond
International's bankruptcy. The case shall not be
dismissed pending further order.

ORDER
B. Legg
6/5/05
8/12/02

